

## AMENDMENTS TO THE CLAIMS

1-26. (Cancelled).

27. (Amended): A diganostic diagnostic and therapeutic instrument, comprising:

a body having a first upper surface, a second lower surface disposed opposite from said upper surface, and opposing lateral surfaces, said upper and lower surfaces converging at a first end to define a blunt tissue-engaging edge and diverging at an opposing second end to define a comparatively larger second end defined by a surface extending between said upper and lower surfaces, said opposing lateral surfaces extending vertically between said upper and lower surfaces and longitudinally between said first and second ends of said instrument body, wherein said body aids in diagnosis and treatment of fibrotic soft tissue.

28. (Original): The instrument as in Claim 27 wherein said upper surface is defined by a continuously curved surface extending at least partially along the length of said instrument body between said first and second ends thereof.

29. (Original): The instrument as in Claim 27 wherein said lower surface is defined by a continuously curved surface extending at least partially along the length of said instrument body between said first and second ends thereof.

30. (Amended): The instrument as in Claim 27 wherein said instrument body is constructed of a resin ~~ceramic composite~~ material having resonant capabilities.

Response to Office Action

Inventor: Thomas L. Sevier et al.

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31. (Original): A hand-held instrument for engaging and applying pressure to the skin of patient in the diagnosis or treatment of underlying fibrotic soft tissue, comprising:

a rigid unitary body having an upper surface, a lower surface disposed opposite from said upper surface, said upper and lower surfaces converging at a first end to define a blunt tissue-engaging edge generally coinciding with the intersection of said upper and lower surfaces and diverging at an opposing second end to define a comparatively larger second end disposed opposite from said first end, and opposing lateral surfaces extending vertically between said upper and lower surfaces and longitudinally between said first and second ends of said instrument body,

said upper surface being defined by a gradually convexly curved surface extending at least partially and longitudinally along the length of said instrument body between said first and second ends thereof,

said lower surface being defined by a gradually concavely curved surface extending at least partially and longitudinally along the length of said instrument body between said first and second ends thereof.

32. (Original): The hand-held instrument as in Claim 31 wherein the upper surface is slightly crowned along a direction transverse to the length of said instrument body.

33. (Original): The hand-held instrument as in Claim 31 wherein, in the use of said instrument, the blunt end of the first end of said instrument body engages the skin of the patient.

34. (New): The instrument as in Claim 28 wherein said first upper surface is convexly curved and extends substantially along the length of said instrument body between said first and second ends thereof.

35. (New): The instrument as in Claim 29 wherein said second lower surface is concavely curved and extends substantially along the length of said instrument body between said first and second ends thereof.

36. (New): The instrument as in Claim 27, wherein said first upper surface and said second lower surface define an angle at said first end, wherein said angle includes a bisector intersecting said first upper surface proximal to said second end.

37 (New): The instrument as in Claim 27, wherein said first upper surface and said second lower surface define an angle at said first end, wherein said angle includes a bisector intersecting said second end.

38. (New): The instrument as in Claim 27, wherein said opposing lateral surfaces are substantially parallel.

39. (New): The instrument as in Claim 27, wherein the ratio of the length ( $d_{12}$ ) and the width ( $d_{13}$ ) is at least 2.4 to 1.

40. (New): The instrument as in Claim 39, wherein the ratio of the length ( $d_{12}$ ) and the width ( $d_{13}$ ) is at least 4 to 1.

41. (New): The instrument as in Claim 27, wherein the ratio of the height ( $d_{14}$ ) to the width ( $d_{13}$ ) is approximately 1 to 1.

42. (New): The instrument as in Claim 27 wherein said first upper surface is slightly crowned along a transverse direction between said opposing lateral surfaces.

43. (New): The instrument as in Claim 27 wherein said second lower surface is substantially planar along a transverse direction between said opposing lateral surfaces.

44. (New): The instrument as in Claim 27 wherein said body includes a digit-receiving contour.

45. (New): The instrument as in Claim 27 wherein at least one of said first upper surface, second lower surface, opposing lateral surfaces and second end are substantially non-slip.

46. (New): The hand-held instrument as in Claim 31 wherein said instrument body is constructed of a resin material having resonant capabilities.

47. (New): The hand-held instrument as in Claim 31 wherein said upper surface extends substantially and longitudinally along the length of said instrument body between said first and second ends thereof.

48. (New): The hand-held instrument as in Claim 31 wherein said lower surface extends substantially and longitudinally along the length of said instrument body between said first and second ends thereof.

49. (New): The hand-held instrument as in Claim 31 wherein said upper surface and said lower surface define an angle at said first end, wherein said angle includes a bisector intersecting said upper surface proximal to said opposing second end.

50 (New): The hand-held instrument as in Claim 31 wherein said upper surface and said lower surface define an angle at said first end, wherein said angle includes a bisector intersecting said opposing second end.

51. (New): The hand-held instrument as in Claim 31 wherein said opposing lateral surfaces are substantially parallel.

52. (New): The hand-held instrument as in Claim 31 wherein the ratio of the length ( $d_{12}$ ) and the width ( $d_{13}$ ) is at least 2.4 to 1.

53. (New): The hand-held instrument as in Claim 52 wherein the ratio of the length ( $d_{12}$ ) and the width ( $d_{13}$ ) is at least 4 to 1.

54. (New): The hand-held instrument as in Claim 31 wherein the ratio of the height ( $d_{14}$ ) to the width ( $d_{13}$ ) is approximately 1 to 1.

55. (New): The hand-held instrument as in Claim 31 wherein said upper surface is slightly crowned along a transverse direction between said opposing lateral surfaces.

56. (New): The hand-held instrument as in Claim 31 wherein said lower surface is substantially planar along a direction transverse to the length of said instrument body.

57. (New): The hand-held instrument as in Claim 31 wherein said rigid unitary body includes a digit-receiving contour.

58. (New): The hand-held instrument as in Claim 31 wherein at least one of said upper surface, lower surface, opposing lateral surfaces and second end are substantially non-slip.